

DOCKET NO.: UPN-366

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re application of: David B. Weiner, et al

JUL 11 2002

Serial No.: 09/719,067

Group Art Unit: 1632

TECH CENTER 1600/2900

Filed: August 16, 2001

Examiner: Ram R. Shukla

COPY OF PAPERS  
ORIGINALLY FILED

For: **METHODS AND COMPOSITIONS FOR DELIVERING PROTEINS TO  
MACROPHAGE CELLS AND CELLS OF MACROPHAGE DERIVED  
LINEAGE**

I, Mark DeLuca, Registration No. 33,229 certify that this correspondence is being deposited with the U.S. Postal Service as First Class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

On June 25, 2002

Registration No: 33,229

Assistant Commissioner  
for Patents  
Washington, D.C. 20231

Dear Sir:

### REPLY

This reply is being filed in response to the Official Action dated January 2, 2002 for the above-identified patent application. The period to respond is extended by petition and payment of the appropriate fee provided herewith.

Claims 1-29 are in the application.

**DOCKET NO.: UPN-3695**  
**PATENT APPLICATION**

**SERIAL NO.: 09/719,067**  
**FILED: AUGUST 16, 2001**


According to the Official Action dated January 2, 2002 Applicants are required to elect a species of promoter for initial examination. Applicants respectfully elect the CD156 promoter as the species for initial examination.

Claims 1-29 are in condition for allowance. A notice of allowance is earnestly solicited.

Respectfully submitted,

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Mark DeLuca  
Registration No. 33,229

Date: June 25, 2002

WOODCOCK WASHBURN LLP  
One Liberty Place - 46<sup>th</sup> Floor  
Philadelphia, PA 19103  
(215) 568-3100

DOCKET NO.: UPN-3695

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PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: David B. Weiner, et al

Serial No.: 09/719,067

Group Art Unit: 1632

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For: METHODS AND COMPOSITIONS FOR DELIVERING PROTEINS TO  
MACROPHAGE CELLS AND CELLS OF MACROPHAGE DERIVED  
LINEAGE

DATE OF DEPOSIT:                     

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FOR PATENTS, WASHINGTON, DC 20231.

Mark DeLuca  
REGISTRATION NO.: 33,229

Box

☐ NON-FEE

☐ AF

Assistant Commissioner for Patents  
Washington DC 20231

Sir:

07/09/2002 AOSHAM1 00000018 09719067

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**REPLY TRANSMITTAL LETTER**

Transmitted herewith for filing in the above-identified patent application is:

- ☐ A Preliminary Amendment.
- ☒ A Reply Responsive to the Office Action Dated January 2, 2002.
- ☐ An Amendment Supplemental to the Paper filed                     .
- ☐ Other:                     .

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- ☐ Applicant(s) has previously claimed small entity status under 37 CFR §1.27.
- ☒ Applicant(s) by its/their undersigned attorney, claims small entity status under 37 CFR §1.27 as:
- ☐ an Independent Inventor
  - ☐ a Small Business Concern
  - ☒ a Nonprofit Organization
- ☐ This application is no longer entitled to small entity status. It is requested that this be noted in the files of the Patent and Trademark Office.
- ☐ Substitute Pages \_\_\_\_\_ of the Specification are enclosed.
- ☐ An Abstract is enclosed.
- ☐ \_\_\_\_\_ Sheets of Proposed Corrected Drawings are enclosed.
- ☐ A Certified Copy of each of the following applications: \_\_\_\_\_  
\_\_\_\_\_ is enclosed.
- ☐ An Associate Power of Attorney is enclosed.
- ☐ Information Disclosure Statement.
- ☐ Attached Form 1449.
  - ☐ A copy of each reference as listed on the attached Form PTO-1449 is enclosed herewith.
- ☐ Appended Material as follows: \_\_\_\_\_
- ☐ Other Material as follows: \_\_\_\_\_

## FEE CALCULATION

☐ No Additional Fee is Due.

				SMALL ENTITY		NOT SMALL ENTITY	
	REMAINING AFTER AMENDMENT	HIGHEST PAID FOR	EXTRA	RATE	FEE	RATE	FEE
TOTAL CLAIMS	29	29 (20 MINIMUM)	0	\$9 EACH	\$0	\$18 EACH	\$
INDEP. CLAIMS	6	6 (3 MINIMUM)	0	\$42 EACH	\$0	\$84 EACH	\$
FIRST PRESENTATION OF MULTIPLE DEPENDENT				\$140	\$0	\$280	\$
<input type="checkbox"/> ONE MONTH EXTENSION OF TIME				\$55	\$0	\$110	\$
<input type="checkbox"/> TWO MONTH EXTENSION OF TIME				\$200	\$0	\$400	\$
<input type="checkbox"/> THREE MONTH EXTENSION OF TIME				\$460	\$0	\$920	\$
<input type="checkbox"/> FOUR MONTH EXTENSION OF TIME				\$720	\$0	\$1440	\$
<input checked="" type="checkbox"/> FIVE MONTH EXTENSION OF TIME				\$980	\$980	\$1960	\$
<input type="checkbox"/> LESS ANY EXTENSION FEE ALREADY PAID				minus	(\$ 0 )	minus	(\$ )
<input type="checkbox"/> TERMINAL DISCLAIMER				\$55	\$0	\$110	\$
<input type="checkbox"/> OTHER FEE OR SURCHARGE AS FOLLOWS:							
TOTAL FEE DUE					\$980		

- ☒ A Check is Enclosed in the Foregoing Amount Due.
- ☒ Petition is hereby made under 37 C.F.R. 1.136(a) to extend the time for response to the Office Action of **January 2, 2002** to and through **July 2, 2002** comprising an extension of the shortened statutory period of **5 month(s)**.
- ☒ The Commissioner is hereby requested to grant an extension of time for the appropriate length of time, should one be necessary, in connection with this filing or any future filing submitted to the U.S. Patent and Trademark Office in the above-identified application during the pendency of this application. The Commissioner is

further authorized to charge any fees related to any such extension of time to deposit account 23-3050. This sheet is provided in duplicate.

- ☒ The Commissioner is authorized to charge payment of the following fees and to refund any overpayment associated with this communication or during the pendency of this application to deposit account 23-3050. This sheet is provided in duplicate.
- ☐ The Foregoing Amount Due for Filing this Paper.
- ☒ Any additional filing fees required, including fees for the presentation of extra claims under 37 C.F.R. 1.16.
- ☒ Any additional patent application processing fees under 37 C.F.R. 1.17 or 1.20(d).

**SHOULD ANY DEFICIENCIES APPEAR** with respect to this application, including deficiencies in payment of fees, missing parts of the application or otherwise, the United States Patent and Trademark Office is respectfully requested to promptly notify the undersigned.

Date: June 25, 2002

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Registration No. 33,229

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